

FORM PTO-390 (Modified)
(REV. 07-2004)

U.S. PATENT AND TRADEMARK OFFICE; U.S. DEPARTMENT OF COMMERCE

ATTORNEY'S DOCKET NUMBER

TRANSMITTAL LETTER TO THE UNITED STATES

3158

DESIGNATED/ELECTED OFFICE (DO/EO/US)

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)

CONCERNING A SUBMISSION UNDER 35 U.S.C. 371

10/517790

INTERNATIONAL APPLICATION NO.

PCT/DE 03/02006

INTERNATIONAL FILING DATE

JUNE 17, 2003

PRIORITY DATE CLAIMED

SEPTEMBER 6, 2002

TITLE OF INVENTION

RADAR MEASUREMENT DEVICE, ESPECIALLY FOR A MOTOR VEHICLE, AND METHOD FOR
OPERATING A RADAR MEASUREMENT DEVICE

APPLICANT(S) FOR DO/EO/US

Juergen HOETZEL, Dirk SCHMID

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a submission under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a submission under 35 U.S.C. 371.
3. ☒ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (24) indicated below.
4. ☒ The US has been elected (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371 (c) (2))
 - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
 - b. ☒ has been communicated by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☒ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
 - a. ☒ is attached hereto.
 - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))
 - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ have been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
10. ☐ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).
11. ☐ A copy of the International Preliminary Examination Report (PCT/IPEA/409).
12. ☒ A copy of the International Search Report (PCT/ISA/210).

Items 13 to 23 below concern document(s) or information included:

13. ☒ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
14. ☒ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
15. ☒ A **FIRST** preliminary amendment.
16. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
17. ☐ A substitute specification.
18. ☐ A power of attorney and/or change of address letter.
19. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.
20. ☐ A second copy of the published International Application under 35 U.S.C. 154(d)(4).
21. ☐ A second copy of the English language translation of the International Application under 35 U.S.C. 154(d)(4).
22. ☒ Express Mail Label No. EV 260999001 US
23. ☐ Other items or information:

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3158

CALCULATIONS PTO USE ONLY

BASIC NATIONAL FEE (37 CFR 1.492(a)(1)-(5)) :

- | | | |
|-------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------|
| <input checked="" type="checkbox"/> | Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO | \$1110.00 |
| <input type="checkbox"/> | International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO | \$950.00 |
| <input type="checkbox"/> | International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO | \$790.00 |
| <input type="checkbox"/> | International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) | \$750.00 |
| <input type="checkbox"/> | International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) | \$100.00 |

ENTER APPROPRIATE BASIC FEE AMOUNT =

\$1,110.00

Surcharge of **\$130.00** for furnishing the oath or declaration later than ☐ 20 ☐ 30 months from the earliest claimed priority date (37 CFR 1.492(e)).

\$0.00

CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE
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Total claims	12 - 20 =	0	x \$18.00
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\$0.00

Independent claims	2	- 3 =	0	x \$88.00
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\$0.00

Multiple Dependent Claims (check if applicable). ☐

\$0.00

TOTAL OF ABOVE CALCULATIONS =

\$1,110.00

- ☐ Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.

\$0.00

SUBTOTAL =

\$1,110.00

Processing fee of **\$130.00** for furnishing the English translation later than ☐ 20 ☐ 30 months from the earliest claimed priority date (37 CFR 1.492(f)).

\$0.00

TOTAL NATIONAL FEE =

\$1,110.00

Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31) (check if applicable).

\$40.00

TOTAL FEES ENCLOSED =

\$1,150.00

**Amount to be:
refunded**

\$

charged

\$

- a. ☐ A check in the amount of _____ to cover the above fees is enclosed.
- b. ☒ Please charge my Deposit Account No. 19-4675 in the amount of \$1,150.00 to cover the above fees.
- c. ☒ The Director is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 19-4675
- d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. **Credit card information should not be included on this form.** Provide credit card information and authorization on PTO-2038.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.

SEND ALL CORRESPONDENCE TO:

STRIKER, STRIKER & STENBY
103 EAST NECK ROAD
HUNTINGTON, NY 11743

SIGNATURE

MICHAEL J. STRIKER

NAME _____

27233

REGISTRATION NUMBER

DECEMBER 13, 2004

DATE _____

December 9, 2004

DECLARATION

The undersigned, Dana Scruggs, having an office at 8902B Otis Avenue, Suite 204B, Indianapolis, Indiana 46216, hereby states that she is well acquainted with both the English and German languages and that the attached is a true translation to the best of her knowledge and ability of PCT/DE 03/02006 (INV.: HOETZEL, J., ET AL), entitled "Radar Measuring Device, in Particular for a Motor Vehicle, and a Method for Operating a Radar Measuring Device".

The undersigned further declares that the above statement is true; and further, that this statement was made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or document or any patent resulting therefrom.



Dana Scruggs